

Application No.: 09/852070

Docket No.: SMQ-122RCE/P6281

REMARKS

Applicants amend claims 1, 9, 17, and 25. No new matter is added. Support for the claim amendment can be found at page 5, lines 14-19, 24-25, page 6, lines 1-3, page 9, lines 17-21, page 14, lines 15-18. Upon entry of this amendment, claims 1-32 are pending, of which claims 1, 9, 17, and 25 are independent. Applicants respectfully submit that the pending claims define over the art of record.

The Claimed Invention

Claims 1, 9, 17, and 25 recites that a computer object is written with data comprising a realization defining a state of the computer. Claims 1, 9, 17, and 25 further recites that a mapping is used to find the patch associated with the realization, where the patch includes one or more patch expressions, each of the patch expressions includes at least one patch attribute statement comprising at least one script command that when executed processes configuration information in the computer object. Since the patch includes the patch attribute statement which is used to determine if the patch should be installed on the computer, the claimed invention provides the technique where the patch itself is able to determine whether the patch installation is compatible with the computer configuration instead of relying on other programs to interrogate system files each time updates are requested. See Background and paragraph 28.

Rejection of Claims 1-3, 5, 7-11, 13, 15-19, 21, 23-27, 29, 31, and 32

Claims 1-3, 5, 7-11, 13, 15-19, 21, 23-27, 29, 31, and 32 are rejected under 35 U.S.C. §103(a) as being unpatentable over United States Patent No. 6,442,754 to Curtis (hereafter "Curtis") in view of United States Patent No. 6,199,204 to Donohue (hereafter "Donohue"). Applicants respectfully submit that the combination of Curtis and Donohue do not teach or suggest the limitation of *writing data to a computer object* on the computer, the data includes at least one realization defining a state of the computer, as required by amended claims 1, 9, 17, and 25. The combination of the references also do not teach the limitation of using a mapping to find the patch associated with the at least one realization, the patch includes one or more patch expressions, each of the patch expressions includes at least one patch attribute statement, the at least one patch attribute statement comprising *at least one script command* that when executed

Application No.: 09/852070

Docket No.: SMQ-122RCE/P6281

processes configuration information in the computer object, as required by amended claims 1, 9, 17, and 25.

The Curtis Reference

Curtis teaches how to check for dependency objects and determine if the dependency objects needs to be installed during installation of a software program so that the software program can execute properly. A check_dependency program is executed before any objects are installed. However, the Curtis reference does not teach or suggest writing data to a computer object, where the data includes at least one realization defining a state of the computer, as required by amended claims 1, 9, 17, and 25.

Furthermore, the Curtis reference does not teach or suggest using a mapping to find the patch associated with the at least one realization, where the patch includes patch expressions, each of the patch expressions includes at least one patch attribute statement comprising at least one script command when executed processes configuration information on the computer object, as required by amended claims 1, 9, 17, and 25. The claimed invention further requires generation of a script program to include the patch attribute statement from the patch. Applicants respectfully submit that the Curtis reference does not teach or suggest the generation of a script program including patch attribute statements from a patch.

The Donohue Reference

The Donohue reference is cited by the Examiner to show that the teachings in the Curtis reference can be applied to patches. Donohue teaches how to efficiently distribute and acquire software updates. Specifically, Donohue uses updater components to determine if an updated is needed. The updater component performs a comparison between the current installed software product's identifier and release number and the listed available updates. See Col. 8, lines 64-68. In contrast, the claimed invention teaches a patch includes patch attribute statements which are used by a script program to determine if the patch should be installed on the computer. Hence, the claimed invention has the advantage that the patch itself can determine if it is compatible with the configuration information on the computer instead of relying on additional programs.

Application No.: 09/852070

Docket No.: SMQ-122RCE/P6281

Additionally, nowhere does the Donohue reference teach or suggest that data are written in a computer object, where the data includes at least one realization defining a state of the computer, as required by amended claims 1, 9, 17, and 25.

Accordingly, the combination of the references do not teach or suggest each and every element and limitation in claims 1, 9, 17, and 25. Applicants respectfully request that the Examiner reconsider and withdraw the rejection of claims 1, 9, 17, and 25 and their corresponding dependent claims.

Rejection of Claims 4, 6, 12, 14, 20, 22, 28, and 30

Claims 4, 6, 12, 14, 20, 22, 28, and 30 are rejected under 35 U.S.C. §103(a) as being unpatentable over Curtis in view of Donohue further in view of United States Patent No. 6,513,159 to Dodson (hereafter Dodson).

The Dodson Reference

Dodson teaches an automatic installation program that includes a system evaluator and a driver evaluator. Similar to the Donohue reference, Dodson relies on a separate program to compare existing configuration on the computer with a package to determine what driver needs to be installed or updated. In contrast, the claimed invention teaches a patch includes patch attribute statements which are used by a script program to determine if the patch should be installed on the computer. Hence, the claimed invention has the advantage that the patch itself has information that can determine if the patch is compatible with the configuration information on the computer instead of relying on additional programs.

Additionally, the Dodson reference does not teach or suggest writing data to a computer object, where the data includes at least one realization defining a state of the computer, as required by independent claims 1, 9, 17, and 25. The Dodson reference also does not teach or suggest using a mapping to find the patch associated with the realization, where the patch includes patch attribute statement comprising at least one script command when executed processes configuration information in the computer object, as required by independent claims 1, 9, 17, and 25.

Application No.: 09/852070

Docket No.: SMQ-122RCE/P6281

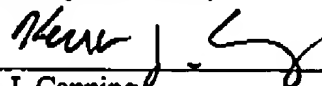
Accordingly, the combination of the Curtis reference and the Dodson reference fails to teach or suggest each and every element in the independent claims 1, 9, 17, and 25. Applicants respectfully request that the Examiner reconsider and withdraw the rejections of claims 4, 6, 12, 14, 20, 22, 28, and 30, which include each and every element in the corresponding independent claim 1, 9, 17, or 25.

In view of the above amendment, Applicants believe the pending application is in condition for allowance.

Applicants believe no fee is due with this statement. However, if a fee is due, please charge our Deposit Account No. 12-0080, under Order No. SMQ-122RCE from which the undersigned is authorized to draw.

Dated: May 31, 2006

Respectfully submitted,

By 
Kevin J. Canning
Registration No.: 35,470
LAHIVE & COCKFIELD, LLP
28 State Street
Boston, Massachusetts 02109
(617) 227-7400
(617) 742-4214 (Fax)
Attorney For Applicant